

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL THOMAS POTTS,)	
)	
Petitioner,)	
)	
v.)	1:12CV687
)	1:98CR50-1
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

On July 14, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #90] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #88], which is affirmed and adopted.

IT IS THEREFORE ORDERED that Respondent's Motion to Dismiss [Doc. #82] is GRANTED, the Petition [Doc. #71] is DENIED, the Motion for Modification of Sentence [Doc. #85] is DENIED, and this action is DISMISSED, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is DENIED.

This the 3rd day of August, 2015.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge